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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
11948.0025

In Re: Application Of: **Rajeev Joshi et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/731,453	December 9, 2003	Zarnecke, David A.	27966	2891	4432

Title: **WAFER-LEVEL CHIP SCALE PACKAGE AND METHOD FOR FABRICATING AND USING THE SAME**

COMMISSIONER FOR PATENTS:

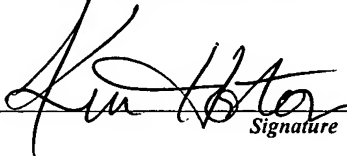
Transmitted herewith is:

Response to Restriction Requirement (3 pages); Postcard;

in the above identified application.

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Signature

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Dated: **6/1 July 05**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

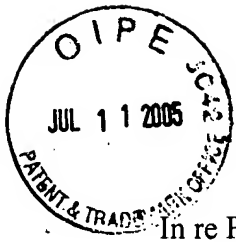
July 12, 2005
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Erin Cowles

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application:
Rajeev Joshi et al.

Serial No.: 10/731,453

Filed: December 9, 2003

For: WAFER-LEVEL CHIP SCALE PACKAGE AND
METHOD FOR FABRICATING AND USING THE
SAME

Confirmation No. 4432

Group Art Unit: 2891

Examiner: Zarnecke, David A.

Mail Stop Non-Final Response
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed on June 7, 2005, Applicant requests reconsideration of the restriction requirement in light of the following remarks.

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Signed: Erin Cowles

7/6/2005

The Restriction Requirement

The Office has required restriction to one of the following groups of inventions under 35 U.S.C. § 121:

Group I: claims 1-19, drawn to a product, classified in class 257, subclass 783; and

Group II: claims 20-33, drawn to a process, classified in class 438, subclass 119.

The Office argues that Groups I and II are related as a process of making and product made. The Office alleges that the inventions of these two groups are distinct since the product as claimed can be made by another and materially different process such as instead of pressing and curing the adhesive to bond it, soldering the stud bump.

Applicant elects with traverse to prosecute the invention of Group I, claims 1-19. Applicant's traversal is on the grounds that the Office has not substantiated that restriction between the claims of Group I and Group II is warranted.

To begin with, the Office has not even shown—or less alleged—that the claims for Groups I and Group II are independent. 35 U.S.C. § 121 requires that for restriction to be proper, the Office must show that groups of claims are both independent and distinct. *See also M.P.E.P. §§ 802; 802.01.* The Office, however, has only alleged that the claims are distinct for these reasons given above.

Applicant also disagrees that the Office has shown that the invention of Group I can be made the proposed other and “materially different” process. The proposed materially different process is one that uses soldering techniques instead of adhesives to attach the chip to the substrate. But this is not a process that qualifies as “materially different” from the claimed

process. The independent method claims recite processes "comprising" attaching the chip to the substrate, including using an adhesive material containing conductive particles. There is no mention in the independent claims of either using—or not using—a soldering process. And since the method claims use the language of "comprising," the method claims are open to using procedures other than those recited, including soldering processes. Thus, the process proposed by the Office would fall within the scope of the method claims and is not "materially different" from the claimed process. The Office, therefore, has not substantiated that groups of claims are distinct.

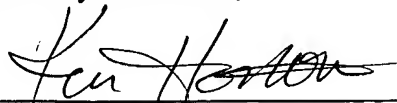
Accordingly, the Office has not established a proper restriction requirement between Groups I and II and Applicant requests withdrawal of this restriction requirement and examination of all pending claims.

CONCLUSION

For the above reasons, Applicant respectfully requests the Office to withdraw the restriction requirement and examine all the pending claims.

If there is any fee due in connection with the filing of this Response, including a fee for any extension of time not accounted for above, please charge the fee to our Deposit Account No. 50-0843.

Respectfully Submitted,

By 

KENNETH E. HORTON
Reg. No. 39,481

Date: July 6, 2005